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Attorneys for Defendant Vector Marketing Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALICIA HARRIS, as an individual and on behalf of all others similarly situated,

No.: CV 08-5198 EMC

Plaintiffs,

VS.

**VECTOR MARKETING
CORPORATION, a Pennsylvania
corporation; and DOES 1 through 20,
inclusive.**

**JOINT STIPULATION AND
[PROPOSED] ORDER RE 30-DAY
CONTINUANCE OF RULE 23
NOTICE AND OPT-OUT DEADLINE**

Complaint Filed: October 15, 2008
Trial Date: June 6, 2011

Defendants.

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1 Plaintiff Alicia Harris (“Plaintiff” or “Harris”) and Defendant Vector Marketing
 2 Corporation (“Defendant” or “Vector”) enter into this joint stipulation with reference
 3 to the following facts:

4 **RECITALS**

5 A. WHEREAS on November 5, 2010, the Court issued its Order Granting
 6 Plaintiff’s Motion to Certify FLSA Collective Action; Denying Defendant’s Motion to
 7 Decertify; Granting in Part and Denying in Part Plaintiff’s Motion to Certify Rule 23
 8 Class Action; and Granting in Part and Denying in Part Defendant’s Cross-Motion to
 9 Deny Certification (“Certification Order”) (Docket 375).

10 B. WHEREAS on November 8, 2010, Vector filed its Ex Parte Application
 11 to Stay, or, in the Alternative to Continue, Class Notice and Opt-Out Deadlines (“*Ex*
 12 *Parte Application*”) (Docket 376).

13 C. WHEREAS on November 9, 2010, Plaintiff filed her Opposition to
 14 Vector’s Ex Parte Application (Docket 378).

15 D. WHEREAS on November 10, 2010, the Court conducted a telephonic
 16 conference call to discuss: (1) irreparable harm potentially resulting from issuance of
 17 the Rule 23 class notice, including the approximate cost of mailing that class notice,
 18 and who bears the cost; and (2) what discovery would need to be deferred until after
 19 the proposed new Rule 23 opt out deadline.

20 E. WHEREAS the Court advised the parties that it would grant Vector’s
 21 request for a 30 day continuance of the dates related to the issuance of the class notice
 22 if the parties could reach agreement regarding the maximum number of depositions
 23 Vector could take after the deadline for opt-outs and before the non-expert discovery
 24 cut-off date on March 2, 2011.

25 **STIPULATION**

26 NOW, THEREFORE, it is hereby stipulated by the parties, through their
 27 respective counsel of record, as follows:

1. Vector may take not more than fifteen (15) depositions, exclusive of expert depositions, after the opt out deadline and before the non-expert discovery cut-off date of March 2, 2011.

2. The parties will submit the proposed Rule 23 class notice to the Court on or before December 1, 2010.

3. The deadline for mailing the Rule 23 class notice is continued from November 12, 2010, to December 13, 2010.

4. The deadline for the Rule 23 class members to opt out is continued from December 27, 2010, to January 27, 2011.

IT IS SO STIPULATED.

Dated: November 10, 2010

REED SMITH LLP

By /S/

Roxanne M. Wilson
Attorneys for Defendant
VECTOR MARKETING CORPORATION

Dated: November 10, 2010

DIVERSITY LAW GROUP

By /S/

**Larry Lee
Attorneys for Plaintiff
ALICIA HARRIS**

ORDER

Based on the above stipulation, IT IS SO ORDERED.

Dated: November 12, 2010

Honorable
United States District

IT IS SO ORDERED

Judge Edward M. Chen